

RESOLUTION NUMBER R-297087

ADOPTED ON SEP 24 2002

WHEREAS, Pardee Homes, Applicant, and Latitude 33 Planning and Engineering, Engineer, submitted by an application to the City of San Diego for a vesting tentative map (Vesting Tentative Map No. 7248 for the Pacific Highlands Ranch Units 5-11 project) and street and easement vacations, located on the north east corner of Black Mountain Road and Carmel Valley Road between Del Mar Heights Road and Rancho Santa Fe Farms Road, and legally described as Sections 8, 9, and 16, Township 14 South, Range 3 West, San Bernardino Base Meridian, in the Pacific Highlands Ranch Subarea Plan area, in the RS-1-11, RS-1-13, RS-1-14, RX-1-1, RT-1-2, OC-1-1, and AR-1-1 zones; and

WHEREAS, on August 1, 2002, the Planning Commission of the City of San Diego considered Vesting Tentative Map No. 7248, and pursuant to Resolution No. 3290-3-PC voted to recommend City Council approval of the map; and

WHEREAS, the matter was set for public hearing on SEP 24 2002, testimony having been heard, evidence having been submitted, and the City Council having fully considered the matter and being fully advised concerning the same; NOW, THEREFORE,

BE IT RESOLVED, by the Council of the City of San Diego, that it adopts the following findings with respect to Vesting Tentative Map No. 7248:

1. The map proposes the subdivision of a 451.6-acre site into 1,000 Residential Lots, 108 affordable housing units in Unit 11, six Multiple Habitat Planning Area [MHPA] Open Space Lots, seven Water Quality Basin Lots, twenty-six H.O.A/Park Lots, one Unit 7 Recreation Center Lot, one Unit 5 Elementary School Lot, one Unit 5 Park Lot, five Monument Sign Lots, two Urban Amenity Open Space Lots for residential and associated development. This type of development is consistent with the General Plan and the Pacific

Highlands Ranch Subarea III Planning Area of the North City Future Urbanizing Area [NCFUA] Community Plan, which designate the area for residential use. The proposed map will retain the community's character by encouraging orderly, sequential development compatible in its intensity with surrounding existing and future land development.

2. The design and proposed improvements for the map are consistent with the zoning/development regulations of the RS-1-11, RS-1-13, RS-1-14, RX-1-1, RT-1-2, OC-1-1 and AR-1-1 zones in that:
 - a. All lots have minimum frontage on dedicated streets which are open to and usable by vehicular traffic, as allowed under Planned Development Permit [PDP] No. 7250 and Site Development Permit [SDP] No. 7251.
 - b. All lots meet the minimum dimension requirements of the RS-1-11, RS-1-13, RS-1-14, RX-1-1, RT-1-2, OX-1-1, AR-1-1 zones as allowed under a PDP and SDP.
 - c. All lots are designed so that required improvements do not result in nonconforming lots in respect to building area, setbacks, side yard and rear yard regulations, as allowed under a PDP and SDP.
 - d. Development of the site is controlled by Planned Development Permit No. 7250 and Site Development Permit No. 7251.
3. The design and proposed improvements for the subdivision are consistent with California Government Code section 66473.1 regarding the design of the subdivision for future passive or natural heating or cooling opportunities.
4. The site is physically suitable for residential development. The harmony in scale, height, bulk, density, and coverage of development creates a compatible physical relationship to surrounding properties for which this area has been planned.
5. The site is physically suitable for the proposed density of development. This is consistent with the community plan, which provides for residential uses.
6. The permittee shall comply with the Mitigation, Monitoring and Reporting Program [MMRP] as specified in the Pacific Highlands Ranch Units 5-11 Findings (LDR No. 41-0185) to the Pacific Highlands Ranch Subarea Plan Master EIR (LDR No. 96-7918), to the satisfaction of the Environmental Review Manager and City Manager. All mitigation measures as specifically outlined in the MMRP shall be implemented for the following issue areas: Transportation/Circulation, Biological Resources, Hydrology/Water Quality, Landform Alteration/Visual Quality, Paleontological Resources, Public Facilities/Services, Water and Sewer Service, Solid Waste, Noise Levels and Public Safety.

7. The design of the subdivision and the type of improvements will not likely cause serious public health problems, in as much as needed public services and facilities are available/or required by condition of this map to provide for water and sewage facilities, as well as other related public services.
8. The design of the subdivision and the type of improvements are such that they will not conflict with any easements, acquired by the public at large, for access through or use of property within the proposed subdivision, as demonstrated by the City Engineer's request for public dedications and adequate improvement on the proposed subdivision map.
9. The Planning Commission has reviewed the adopted Housing Element, the Progress Guide, and the General Plan of the City of San Diego, and hereby finds, pursuant to Government Code section 66412.3, that the housing needs of the region are being met because residential development has been planned for the area and public services programmed for installation, as determined by the City Engineer, in accordance with financing and environmental policies of the City Council.

The above findings are supported by the minutes, maps and exhibits, all of which are herein incorporated by reference.

BE IT FURTHER RESOLVED, that pursuant to California Government Code section 66434(g), a portion of Old Survey No. 57, known as Black Mountain Road, dedicated by County of San Diego Board of Supervisors Minutes in Book 7, Page 200, dated February 27, 1886, as a portion of the public street, granted to the City of San Diego by grant deeds recorded September 1, 1982, as file No. 82-271463 and file No. 82-271466, located within the project boundaries as shown in Vesting Tentative Map No. 7248, shall be vacated, contingent upon the recordation of the approved final map for the project.

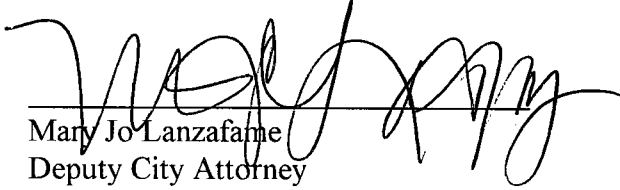
BE IT FURTHER RESOLVED, that pursuant to California Government Code section 66434(g), a portion of the water easement granted to the City of San Diego per document recorded January 7, 1972, as file No. 72-5264, a portion of the water easement granted to the City of San Diego per document recorded March 31, 1971, as file No. 6145, and a portion of the water easement granted to the City of San Diego per documents recorded March 17, 1971, as file

numbers 50373, 50374, 50375 and 50376, located within the project boundaries as shown in Vesting Tentative Map No. 7248, shall be vacated, contingent upon the recordation of the approved final map for the project.

BE IT FURTHER RESOLVED, that the recommendation of the Planning Commission is sustained, and Vesting Tentative Map No. 7248 is granted to Pardee Homes, Applicant and Latitude 33 Planning & Engineering, Engineer, subject to the conditions attached hereto and made a part hereof.

APPROVED: CASEY GWINN, City Attorney

By


Mary Jo Lanzafame
Deputy City Attorney

MJL:pev

8/26/02

Or.Dept:Clerk

R-2003-305

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CITY COUNCIL CONDITIONS FOR VESTING TENTATIVE MAP NO. 7248
PACIFIC HIGHLANDS RANCH UNITS 5-11 PROJECT
ADOPTED BY RESOLUTION NO. R-297087 ON SEP 24 2002

1. Unless otherwise extended, this vesting tentative map will expire SEP 24 2005.
2. Compliance with all of the following conditions shall be assured, to the satisfaction of the City Engineer, prior to the recordation of the first final map, unless otherwise noted.
3. Any party on whom fees, dedications, reservations, or other exactions have been imposed as conditions of approval of this vesting tentative map, may protest the imposition within ninety days of the approval of this tentative map by filing a written protest with the City Clerk pursuant to California Government Code section 66020.
4. The final map shall conform to the provisions of Planned Development Permit [PDP] No. 7250 and Site Development Permit [SDP] No. 7251.
5. The "General Conditions for Tentative Subdivision Maps," filed in the Office of the City Clerk under Document No. 767688 on May 7, 1980, shall be made a condition of map approval. Only those exceptions to the General Conditions which are shown on the tentative map and covered in these special conditions will be authorized.

All public improvements and incidental facilities shall be designed in accordance with criteria established in the Street Design Manual, filed with the City Clerk as Document No. 769830.

6. "Basis of Bearings" means the source of uniform orientation of all measured bearings shown on the map. Unless otherwise approved, this source will be the California Coordinate System, Zone 6, North American Datum of 1983 (NAD 83).
7. "California Coordinate System" means the coordinate system as defined in Section 8801 through 8819 of the California Public Resources code. The specified zone for San Diego County is "Zone 6," and the official datum is the "North American Datum of 1983."
8. The subdivider has requested approval to file final maps out of numerical sequence. This request is approved, subject to the provision that the City Engineer can review the off-site improvements in connection with each unit
9. The subdivider has reserved the right to record multiple final maps over the area shown on the approved tentative map. In accordance with Article 66456.1 of the Subdivision Map Act, the City Engineer shall retain the authority to review the areas of the tentative map the subdivider is including in each final map. The City Engineer may impose reasonable conditions relating to the filing of multiple final maps, in order to provide for orderly development, such as off-site public improvements, that shall become requirements of final map approval for a particular unit.

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10. Every final map shall:

- a. Use the California Coordinate System for its "Basis of Bearing" and express all measured and calculated bearing values in terms of said system. The angle of grid divergence from a true median (theta or mapping angle) and the north point of said map shall appear on each sheet thereof. Establishment of said Basis of Bearings may be by use of existing Horizontal Control stations or astronomic observations.
- b. Show two measured ties from the boundary of the map to existing Horizontal Control stations having California Coordinate values of Third Order accuracy or better. These tie lines to the existing control shall be shown in relation to the California Coordinate System (i.e., grid bearings and grid distances). All other distances shown on the map are to be shown as ground distances. A combined factor for conversion of grid-to-ground distances shall be shown on the map.

11. The approval of this vesting tentative map by the City of San Diego does not authorize the subdivider to violate any Federal, State, or City laws, ordinances, regulations, or policies, including, but not limited to, the Federal Endangered Species Act of 1973 and any amendments thereto (16 USC § 1531 et seq.).

12. ENGINEERING CONDITIONS

- a. The subdivider shall obtain a bonded grading permit for the grading proposed for this project. All grading shall conform to requirements in accordance with the City of San Diego Municipal Code in a manner satisfactory to the City Engineer.
- b. The preliminary drainage system for this development is approved per condition of approval of the "Runoff Management Plan" provided that, in the final design, the following requirement is satisfied:

A hydrology report must be developed using the Rational and Modified Rational Method for each unit within Pacific Highlands Ranch, subject to the approval of the City Engineer.

- c. All drainage facilities within this subdivision and outside of the public right-of-way shall be private and privately maintained.
- d. A portion of this project has been identified as being within the Floodway of a Special Flood Hazard Area (Gonzales Canyon). No increases to base flood elevations are allowed. A Registered Professional Engineer shall submit a no rise certification along with a detailed engineering analysis to substantiate the certification. The analysis is subject to the approval of the City Engineer.

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- e. If the engineering analysis shows the development will alter the floodway or floodplain boundaries of the Special Flood Hazard Area, the developer must obtain a Conditional Letter of Map Revision [CLMR] from the Federal Emergency Management Agency prior to issuance of any grading, engineering, or building permits. The developer must provide all documentation, engineering calculations, and fees which are required by FEMA.
- f. No certificates of occupancy will be granted or bonds released for development associated with this project for those portions that lie within the Floodway of a Special Floor Hazard Area until a Letter of Map Revision [LOMR] is obtained from FEMA. The LOMR is issued based upon as-built site conditions, therefore, the applicant must allow time to complete this process. The developer must provide all documentation, engineering calculations, and fees which are required by FEMA.
- g. All fill placed within the Special Flood Hazard Area must be compacted to 95% relative compaction.
- h. The developer shall denote on the final map and the improvement plans "Subject to Inundation" all areas lower than the base flood elevation plus 1 foot.
- i. The developer shall enter into an agreement with the City waiving the right to oppose a special assessment initiated for the construction of flood control facilities and their perpetual maintenance.
- j. The developer shall grant a flowage easement, satisfactory to the City Engineer.

13. TRANSPORTATION CONDITIONS

- a. Prior to the recordation of the first final map, the applicant shall assure by permit and bond the construction of Del Mar Heights Road from Old Carmel Valley Road to Carmel Valley Road as a four lane modified major street. The applicant shall dedicate 122 feet of right-of-way, and shall provide 102 feet of curb to curb, curb, gutter and a 5 foot sidewalk within a 10 feet curb to property line distance satisfactory to the city engineer..
- b. Prior to the recordation of the first final map, the applicant shall assure by permit and bond the construction of Carmel Valley Road from SR-56 to Subarea IV/Torrey Highlands boundary as a six lane/four lane modified major street with a minimum curb to curb width of 126 feet within 146 feet of right-of-way then transitioning to a minimum curb to curb width of 102 feet within 128 feet of

right-of-way east of Del Mar Heights Road, satisfactory to the City Engineer. Construction of Carmel Valley Road off-site from easterly subdivision boundary to Subarea IV/Torrey Highlands boundary will also be required as a condition of approval for any development within this area. The subdivider may request the City Council to establish a Reimbursement District to pay for this portion of construction costs and right-of-way acquisition in accordance with Municipal Code, when the property within the Reimbursement District is subdivided or otherwise developed.

- c. Prior to the recordation of the first final map, the applicant shall assure by permit and bond the construction of the traffic signal at the intersection of Carmel Valley Road and Street "A," satisfactory to the City Engineer.
- d. Prior to the recordation of the first final map, the applicant shall assure by permit and bond the construction of the traffic signal at the intersection of Carmel Valley Road and Del Mar Heights Road, satisfactory to the City Engineer.
- e. Prior to the recordation of the first final map, the applicant shall assure by permit and bond the construction of the traffic signal at the intersection of Carmel Valley Road and Street "B," satisfactory to the City Engineer.
- f. Prior to the recordation of the first final map, the applicant shall assure by permit and bond the construction of the traffic signal at the intersection of Carmel Valley Road and Street "C," satisfactory to the City Engineer.
- g. Prior to the recordation of the first final map, the applicant shall assure by permit and bond the construction of the traffic signal at the intersection of Carmel Valley Road and Rancho Santa Fe Farms Road, satisfactory to the City Engineer.
- h. Prior to the recordation of the first final map, the applicant shall assure by permit and bond, the construction of the traffic signal at the intersection of Old Carmel Valley Road and Del Mar Heights Road, satisfactory to the City Engineer.
- i. Prior to the recordation of the first final map, the applicant shall assure by permit and bond, the construction of the traffic signal at the intersection of Street "A" and Elementary School access, satisfactory to the City Engineer. The applicant shall also assure the establishment of a school zone in the vicinity of the school's site, satisfactory to the City Engineer. The school zone should include appropriate pavement markings, signage, signing and traffic control devices.
- j. Prior to the recordation of the first final map, the applicant shall assure by permit and bond, the construction of Street "A" from Carmel Valley Road to private

drive "A" as a modified 4-lane collector street. The applicant shall dedicate 148 feet of right-of-way and shall provide 78 feet of pavement including curb, gutter and a 5 foot sidewalk with a 15-50 foot curb to property line distance, satisfactory to the City Engineer.

- k. Prior to the recordation of the first final map, the applicant shall assure by permit and bond, the construction of Street "A" as a two-lane modified collector street north of private drive A. The applicant shall provide 70 feet curb to curb pavement width within 140 feet of right-of-way including curb, gutter and a 5' sidewalk with 15-55 foot curb to property line distance, satisfactory to the City Engineer
- l. Prior to the recordation of the first final map, the applicant shall assure by permit and bond, the construction of the cul-de-sac at the northern end of Street "A" with a minimum pavement radius of 50' including curb, gutter and a 5 feet sidewalk within a 60 feet right-of-way radius satisfactory to the City Engineer.
- m. Prior to the recordation of the first final map, the applicant shall assure by permit and bond, the construction of Street "B" from Carmel Valley Road to north for a distance of at least 150 feet as a two lane collector street. The applicant shall dedicate 60 feet of right-of-way, an additional 5 feet General Utility Easement [GUE] and shall provide 40 feet of pavement including curb, gutter and a 5 foot sidewalk within a 10 foot curb to property line distance, satisfactory to the City Engineer.
- n. Prior to the recordation of the first final map, the applicant shall assure by permit and bond, the construction of Street "C" from Carmel Valley Road to Street "O" as a modified two lane collector street. The applicant shall dedicate 106 feet of right-of-way and shall provide 52 feet curb to curb pavement including a 12 feet median, curb, gutter and a 5 foot sidewalk with a 12-42 foot curb to property line distance, satisfactory to the City Engineer.
- o. Prior to the recordation of the first final map, the applicant shall assure by permit and bond, the construction of Street "C" from Street "O" to Street "S" as a modified two lane collector street. The applicant shall dedicate 114 feet of right-of-way and shall provide 52 feet curb to curb pavement including a 12 feet median, curb, gutter and a 5 foot sidewalk within a 20-42 foot curb to property line distance, satisfactory to the City Engineer.
- p. The applicant shall provide a minimum of 100 foot curve radius shown on the site plans for all proposed public residential streets, satisfactory to the City Engineer.

- q. The applicant shall construct the private driveways of Units 9A and 9B with a minimum pavement width of 28 feet within 45 feet of parkway, satisfactory to the City Engineer.
- r. The applicant shall provide and pave a 20 feet triangular area at the corner of any intersection of two alleys, satisfactory to the City Engineer.
- s. Prior to the recordation of the first final map, the applicant shall assure by permit and bond, the construction of Street "A" north of the Urban Amenity, Street "B" north of private drive "G," Street "D," Street "E," Street "F," Street "G," Street "H," Street "I" and Street "J" as a two lane residential street. The applicant shall dedicate 54' of right-of-way and shall provide 34' of pavement including curb, gutter and a 5 foot sidewalk within a 10 foot curb to property line distance, satisfactory to the City Engineer.
- t. Prior to the recordation of the first final map, the applicant shall assure by permit and bond, the construction of street "K," street "L," Street "M," Street "O," Street "P," Street "Q," Street "R," Street "S," Street "T," Street "U," Street "V," and Street "X," as two lane residential streets. The applicant shall dedicate 54' of right-of-way and shall provide 34' of pavement including curb, gutter and a 5 foot sidewalk within a 10 foot curb to property line distance, satisfactory to the City Engineer.
- u. Prior to the recordation of the first final map, the applicant shall assure by permit and bond, the construction of Street "G" from Street "A" to Street "D" as a modified two-lane collector with a 50' curb to curb pavement within 90 feet of right-of-way including curb, gutter and a 5 foot sidewalk within 20 curb to property line distance, satisfactory to the City Engineer.

14. WATER REQUIREMENTS:

- a. Prior to the approval of any public improvement drawings, the Subdivider shall provide an acceptable water study satisfactory to the Water Department Director. The study shall plan the pressure zone(s) and water facilities necessary to serve this development consistent with previously accepted studies in this area maintaining redundancy throughout phasing of construction. If phasing of the development is proposed, then a phasing plan shall be included in the study with the affordable housing site in the first phase.
- b. Prior to the approval of any public improvement drawings, the Subdivider shall provide an acceptable recycled water study, consistent with previously accepted studies in this area, satisfactory to the Water Department Director.

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- c. The Subdivider shall design and construct all potable and recycled water facilities as required in the accepted water studies for this area, necessary to serve this development in a manner satisfactory to the Water Department Director. Water facilities, as shown on the approved tentative map, will require modification based on the accepted water studies and standards.
- d. The Subdivider shall install fire hydrants at locations satisfactory to the Fire Department, the Water Department and the City Engineer. If more than two (2) fire hydrants or thirty (30) dwelling units are located on a dead-end main then the Subdivider shall design and construct a redundant water system satisfactory to the Water Department Director.
- e. The Subdivider shall, if required, install parallel water facilities with a minimum separation of 20-feet, satisfactory to the Water Department Director.
- f. The Subdivider shall grant adequate water easements, including vehicular access to each appurtenance (meters, blow offs, valves, fire hydrants, etc.), for all public water facilities that are not located within fully improved public rights-of-way, satisfactory to the Water Department Director. Easements shall be located within single lots.
- g. Grants of water easements shall have the following minimum widths: water mains with no appurtenances including valves - 15 feet; water mains with services or fire hydrants - 30 feet with 24 feet of paving and full height curbs. Easements, as shown on the approved tentative map, will require modification based on standards and final engineering. If sufficient easement area cannot be provided to allow for operation and maintenance of public facilities, then the Subdivider shall install a private water system.
- h. The Subdivider shall process encroachment maintenance and removal agreements for all acceptable private encroachments, including, but not limited to, structures, enhanced paving, or landscaping, into any easement. No structures or landscaping of any kind shall be installed in or over any vehicular access roadway.
- i. If any portion of the subdivision will have gated access, then the Subdivider shall provide keyed access to the Water Operations Division in a manner satisfactory to the Water Department Director. The City will not be held responsible for any issues that may arise relative to the availability of keys.
- j. The Subdivider agrees to design and construct all proposed public water facilities in accordance with established criteria in the most current edition of the City of San Diego Water Design Guide and City regulations, standards, and practices

pertaining thereto. Water facilities, as shown on the approved tentative map, shall be modified at final engineering to conform to standards.

15. WASTEWATER CONDITIONS

- a. The developer shall enter into a Participation Agreement with the City to contribute their fair share cost for upgrading Sewer Pump Station No. 79 to accommodate sewer flows from the proposed development.
- b. All proposed public sewer facilities are to be designed and constructed in accordance with established criteria in the most current City of San Diego sewer design guide. Proposed facilities that do not meet the current standards shall be private or re-designed. Re-design may include, but is not limited to, land form modification and changes to street alignments.

16. AFFORDABLE HOUSING CONDITION

- a. The affordable housing requirements of PDP No. 7250 and SDP No. 7251 on file with the Development Services Department, are hereby incorporated by reference into this vesting tentative map. Prior to the recordation of any final map, the subdivider shall enter into an agreement with the Executive Director of the Housing Authority of the City of San Diego, or designee. The Affordable Housing Requirements are more thoroughly described through conditions of the accompanying PDP No. 7250 and SDP No. 7251, such permit becoming utilized upon recordation of this vesting tentative map.

17. LANDSCAPE CONDITIONS

- a. Prior to (final map) any grading permit(s) the owner permittee shall enter into a Bonded Revegetation Installation Agreement for all disturbed lands and permanent BMP's to the satisfaction of the Development Services Landscape Section.
- b. Prior to (final Map) any grading permit (s) the owner permittee shall provide to the City Manager a bonded Landscape Maintenance and Establishment Agreement for the establishment and long term monitoring of all disturbed lands and permanent BMP's to the satisfaction of the Development Services Landscape Section.

18. STREET AND EASEMENTS VACATION

- a. The street vacation of a portion of Old Survey No. 57, known as Black Mountain Road, and the street vacation of a portion of the public street, granted to the City of San Diego by grant deed recorded September 1, 1982, as file No. 82-271463,

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within subject Vesting Tentative Map, are conditioned upon approval and recordation of a final map in accordance with the Subdivision Map Act Section 66434(g).

- b. The vacation of a portion of the water easements granted to the City of San Diego per document recorded January 7, 1972, as file No. 72-5264, per document recorded March 31, 1971 as file No. 61545, and per documents recorded March 17, 1971, as file numbers 50373, 50374, 50375 and 50376 are conditioned upon approval and recordation of a final map in accordance with the Subdivision Map Act section 66434(g) and upon determination of the fair market value and compensation as required by the Real Estate Assets Department.

FOR INFORMATION:

- This development may be subject to the payment of a park fee in accordance with the San Diego Municipal Code, which specifies park fees applicable in the Pacific Highlands Ranch Subarea III Planning Area of the North City Future Urbanizing Area [NCFUA] Community Plan area.
- This development may be subject to payment of a park fee prior to the filing of the final subdivision map in accordance with San Diego Municipal Code section 102.0406, et seq. This property is also subject to a building permit park fee in accordance with San Diego Municipal Code section 96.0401, et seq.
- This development may be subject to payment of School Impact Fees at the time of issuance of building permits, as provided by California Government Code section 53080(b) (Statutes of 1981, Chapter 887), in accordance with procedures established by the Director of Building Inspection.
- This development may be subject to impact fees, as established by the City Council, at the time of issuance of building permits.
- This vesting Tentative Map will be subject to fees and charges based on the rate and calculation method in effect at the time of payment.